

Congress of the United States
Washington, DC 20515

March 30, 2017

The Honorable Ken Calvert
Chairman
Subcommittee on Interior and Environment
House Committee on Appropriations
2007 Rayburn HOB
U.S. House of Representatives
Washington, DC 20515

The Honorable Betty McCollum
Ranking Member
Subcommittee on Interior and Environment
House Committee on Appropriations
1016 Longworth HOB
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Calvert and Ranking Member McCollum:

As you begin crafting the fiscal year (FY) 2018 Interior, Environment, and Related Agencies Appropriations bill, we encourage the subcommittee to include language that retains a provision prohibiting funds to finalize and implement duplicative and burdensome financial assurance requirements proposed by the Obama Administration under Section 108(b) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

If implemented, this proposed rule would cost industry billions of dollars. To make matters worse, this rulemaking only came about as a result of sue-and-settle litigation by extremist special-interest groups. EPA does not have a statutory duty to pursue these regulations. In fact, the Obama Administration moved forward with this rule for the sole purpose of appeasing lawsuit-happy environmental organizations.

The proposed regulation is not based on science, does not improve public safety and will kill employment opportunities. Job creators cannot afford the associated uncertainty and costs of this unnecessary mandate. As a result of concerns with this rule, the Trump Administration's EPA extended the comment period 120 days to July 11, 2017.

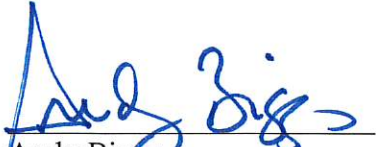
Mining companies are one of the safest and most regulated industries in the country. The Obama Administration's political EPA failed to justify this misguided effort. This proposed rule must be rejected in order to protect our economy, ensure the global competitiveness of resource extraction companies, deliver affordable American energy, and provide good-paying jobs. This language request is similar to Section 430 of the engrossed version of H.R. 5538 that passed the House last Congress. Congress must retain this provision and prevent funds to finalize this misguided rule.


The FY 2017 Interior, Environment and Related Agencies Appropriations bill contained language which aimed to block this proposal. Accordingly, we ask that you include language again this fiscal year to protect the mining industry and job creators:


SEC. ll. None of the funds made available by this Act may be used to finalize, implement, administer, or enforce the proposed rule entitled "Financial Responsibility Requirements Under CERCLA § 108(b) for Classes of Facilities in the Hardrock Mining Industry" published by the Environmental Protection Agency in the Federal Register on January 11, 2017 (82 Fed. Reg. 3388 et seq.), or any substantially similar rule.


We thank you for your consideration of this request, and for your leadership on the committee.

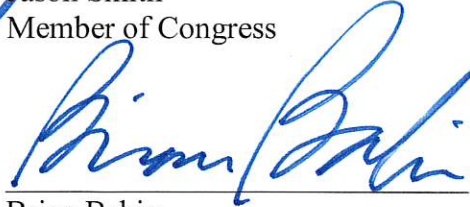
Sincerely,


Andy Biggs
Member of Congress


Paul Gosar
Member of Congress



Jason Smith
Member of Congress



Scott Tipton
Member of Congress


Brian Babin
Member of Congress


Ted Yoho, *Dem*
Member of Congress


Jody Hice
Member of Congress


Tom McClintock
Member of Congress


Liz Cheney
Member of Congress